Sec. 1041. 1042. 1043 1044. 1045. 1046. 1047. 1048. 1049 1050. 1051. 1052.

Enforcement provisions. (a) Violations of section 1037; term of imprisonment and fine; scope of liabilitv (b) Penalties applicable to carriers or

warehousemen.

(c) Persons preventing enforcement of chapter; term of imprisonment and fine.

Reporting of violation to United States attorney for institution of criminal proceedings; procedure; presentation of views.

Rules and regulations; administration and enforcement.

Exemption of certain activities.

(a) Regulation for exemptions.

- (b) Plants located in noncontiguous areas of United States.
- (c) Suspension or termination of exemptions.

Limitation on entry of eggs and egg products and other materials into official plants. Imports.

- (a) Authorization for importation of restricted eggs; prerequisites for importation of egg products; treatment as domestic articles subject to this chapter; marking and labeling exemption for personal consump-
- (b) Terms and conditions for destruction. (c) Payment of storage, cartage, and labor charges by owner or con-

(d) Prohibition.

signee: liens.

Refusal or withdrawal of inspection services; hearing; grounds; person deemed to have responsible connection with business; finality of order of Secretary; judicial review; other provisions for refusal of services unaffected.

Administrative detention of violative articles; duration; release; removal of official marks.

Seizure and condemnation proceedings.

- (a) Jurisdiction: disposal of condemned articles: court costs and fees: conformity to supplemental rules for admiralty and maritime claims; jury trial; United States as plaintiff.
- (b) Condemnation or seizure under other provisions unaffected.

Jurisdiction of district courts; United States as plaintiff in enforcement and restraining proceedings; subpenas for witnesses.

Other Federal laws applicable for administration and enforcement of chapter; prosecution of inquiries; exercise of jurisdiction.

State or local regulation.

- (a) Prohibition against additional or different requirements than Federal requirements relating to premises. facilities, and operations at official plants; authority to impose recordkeeping and related requirements consistent with Federal requirements.
- (b) Prohibition against additional or different standards than Federal standards of quality, etc., or requiring labeling to show area of production or origin; authority to require name, address, and license number of processor or packer on containers: prohibition against additional or different requirements than Federal requirements relating to labeling, packaging or ingredients; authority to prevent distribution of violative articles; validity of nonconflicting laws.

(c) Applicability of other Federal laws and authority of other Federal officials relating to eggs, egg products, or other food products unaffected; authority of Secretary of Agriculture to regulate official plants processing egg products.

(d) Detainer authority.

1053. Inspection and administration costs.

(a) Overtime and holiday work costs; availability of funds.

(b) "Holiday" defined.

Annual report to Congressional committees. 1054.

1055. Authorization of appropriations.

1056. Separability.

CHAPTER REFERRED TO IN OTHER SECTIONS

This chapter is referred to in title 7 section 6519.

§ 1031. Congressional statement of findings

Eggs and egg products are an important source of the Nation's total supply of food, and are used in food in various forms. They are consumed throughout the Nation and the major portion thereof moves in interstate or foreign commerce. It is essential, in the public interest, that the health and welfare of consumers be protected by the adoption of measures prescribed herein for assuring that eggs and egg products distributed to them and used in products consumed by them are wholesome, otherwise not adulterated, and properly labeled and packaged. Lack of effective regulation for the handling or disposition of unwholesome, otherwise adulterated, or improperly labeled or packaged egg products and certain qualities of eggs is injurious to the public welfare and destroys markets for wholesome, not adulterated, and properly labeled and packaged eggs and egg products and results in sundry losses to producers and processors, as well as injury to consumers. Unwholesome, otherwise adulterated, or improperly labeled or packaged products can be sold at lower prices and compete unfairly with the wholesome, not adulterated, and properly labeled and packaged products, to the detriment of consumers and the public generally. It is hereby found that all egg products and the qualities of eggs which are regulated under this chapter are either in interstate or foreign commerce, or substantially affect such commerce, and that regulation by the Secretary of Agriculture and the Secretary of Health and Human Services, and cooperation by the States and other jurisdictions, as contemplated by this chapter, are appropriate to prevent and eliminate burdens upon such commerce, to effectively regulate such commerce, and to protect the health and welfare of consumers.

(Pub. L. 91-597, §2, Dec. 29, 1970, 84 Stat. 1620; Pub. L. 96-88, title V, §509(b), Oct. 17, 1979, 93 Stat. 695.)

REFERENCES IN TEXT

This chapter, referred to in text, was in the original "this Act", meaning Pub. L. 91-597, Dec. 29, 1970, 84 Stat. 1620, as amended, which enacted this chapter, amended sections 633 and 636 of Title 15, Commerce and Trade, and enacted provisions set out as notes under this section. For complete classification of this Act to the Code, see Short Title note set out below and Tables.